IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 30th day of September 2005
Bail Application no. 685 **of 2005**
Order on the bail application of the accused

CRIMINAL SIDE

1. Narendra @ Chintu
   S/o Sri Gajram @ Gajram
2. Deepa Arya W/o Narendra @ Chintu
   both R/o Village Rooppur
   P.S. Ramnagar
   District Nainital … Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of Case Crime No. 1247 of 2005
Under Section 302 I.P.C.
P.S. Ramnagar
District Nainital

By the court

Hon'ble B.C. Kandpal, J.

The applicants have applied for bail in case crime No. 1247 of 2005 under Section 302 I.P.C. P.S. Ramnagar, District Nainital.

Heard Smt. Pushpa Joshi, learned counsel for the applicants, learned A.G.A. and perused the record.

On merit, I do not find any ground to enlarge the applicants on bail.

However, a supplementary affidavit has been filed by the applicants stating therein that the applicant No. 2 Deepa Arya has got three minor children aged about 13, 12 and 8 years respectively. It has also been mentioned that the daughter of the applicant is a patient of epilepsy and gets fits many times a day. It is also submitted by the learned counsel for the applicants that there is none to look after the minor children in the family.

Having the sympathetic consideration with regard to the applicant No. 2 – Deepa Arya, I direct that let the applicant No. 2 – Deepa Arya be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned while the bail application on behalf of applicant No. 1 – Narendra @ Chintu is accordingly rejected.

(B.C. Kandpal, J.)

30.09.2005
ASWAL